

AMENDED IN SENATE AUGUST 15, 2013

AMENDED IN SENATE JULY 11, 2013

AMENDED IN ASSEMBLY MAY 24, 2013

AMENDED IN ASSEMBLY MAY 6, 2013

AMENDED IN ASSEMBLY APRIL 23, 2013

AMENDED IN ASSEMBLY APRIL 1, 2013

AMENDED IN ASSEMBLY MARCH 14, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

## ASSEMBLY BILL

**No. 549**

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**Introduced by Assembly Member Jones-Sawyer**

February 20, 2013

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An act to ~~amend Section 32282~~ of *add Section 32282.1* to the Education Code, relating to school safety.

### LEGISLATIVE COUNSEL'S DIGEST

AB 549, as amended, Jones-Sawyer. Comprehensive school safety plans: mental health professionals and police role on campus guidelines.

Existing law provides that school districts and county offices of education are responsible for the overall development of a comprehensive school safety plan for its schools operating kindergarten or any of grades 1 to 12, inclusive. Existing law requires the schoolsite council of a school to write and develop the comprehensive school safety plan relevant to the needs and resources of the particular school, except as specified with regard to a small school district. Existing law requires the comprehensive school safety plan to include specified

strategies and programs that will provide or maintain a high level of school safety. Existing law encourages, as comprehensive school safety plans are reviewed and updated, all plans to include policies and procedures aimed at the prevention of bullying.

This bill would also encourage the comprehensive school safety plans, *as they are reviewed and updated*, to include clear guidelines, ~~as provided~~, for the roles and responsibilities of ~~mental health professionals, community intervention professionals, school counselors, school resource officers, and police officers on school campus, if the school district uses these people~~ *certain parties with school-related health and safety responsibilities and would authorize the inclusion in these plans of primary strategies for specified purposes.*

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1     SECTION 1. Section 32282.1 is added to the Education Code,  
2     to read:

3     32282.1. As comprehensive school safety plans are reviewed  
4     and updated, the Legislature encourages all plans, to the extent  
5     that resources are available, to include clear guidelines for the  
6     roles and responsibilities of mental health professionals,  
7     community intervention professionals, school counselors, school  
8     resource officers, and police officers on school campus, if the  
9     school district uses these people. The guidelines may include  
10    primary strategies to create and maintain a positive school climate,  
11    promote school safety, and increase pupil achievement, and  
12    prioritize mental health and intervention services, restorative and  
13    transformative justice programs, and positive behavior  
14    interventions and support.

15    SECTION 1. ~~Section 32282 of the Education Code is amended~~  
16    to read:

17    32282. (a) ~~The comprehensive school safety plan shall include,~~  
18    but not be limited to, both of the following:

19    (1) ~~Assessing the current status of school crime committed on~~  
20    ~~school campuses and at school-related functions.~~

21    (2) ~~Identifying appropriate strategies and programs that will~~  
22    ~~provide or maintain a high level of school safety and address the~~  
23    ~~school's procedures for complying with existing laws related to~~

1 school safety, which shall include the development of all of the  
2 following:

3 (A) ~~Child abuse reporting procedures consistent with Article~~  
4 ~~2.5 (commencing with Section 11164) of Chapter 2 of Title 1 of~~  
5 ~~Part 4 of the Penal Code.~~

6 (B) ~~Disaster procedures, routine and emergency, including~~  
7 ~~adaptations for pupils with disabilities in accordance with the~~  
8 ~~federal Americans with Disabilities Act of 1990 (42 U.S.C. Sec.~~  
9 ~~12101 et seq.). The disaster procedures shall also include, but not~~  
10 ~~be limited to, both of the following:~~

11 (i) ~~Establishing an earthquake emergency procedure system in~~  
12 ~~every public school building having an occupant capacity of 50~~  
13 ~~or more pupils or more than one classroom. A school district or~~  
14 ~~county office of education may work with the California~~  
15 ~~Emergency Management Agency and the Alfred E. Alquist Seismic~~  
16 ~~Safety Commission to develop and establish the earthquake~~  
17 ~~emergency procedure system. The system shall include, but not~~  
18 ~~be limited to, all of the following:~~

19 (I) ~~A school building disaster plan, ready for implementation~~  
20 ~~at any time, for maintaining the safety and care of pupils and staff.~~

21 (II) ~~A drop procedure whereby each pupil and staff member~~  
22 ~~takes cover under a table or desk, dropping to his or her knees,~~  
23 ~~with the head protected by the arms, and the back to the windows.~~  
24 ~~A drop procedure practice shall be held at least once each school~~  
25 ~~quarter in elementary schools and at least once a semester in~~  
26 ~~secondary schools.~~

27 (III) ~~Protective measures to be taken before, during, and~~  
28 ~~following an earthquake.~~

29 (IV) ~~A program to ensure that pupils and both the certificated~~  
30 ~~and classified staff are aware of, and properly trained in, the~~  
31 ~~earthquake emergency procedure system.~~

32 (ii) ~~Establishing a procedure to allow a public agency, including~~  
33 ~~the American Red Cross, to use school buildings, grounds, and~~  
34 ~~equipment for mass care and welfare shelters during disasters or~~  
35 ~~other emergencies affecting the public health and welfare. The~~  
36 ~~school district or county office of education shall cooperate with~~  
37 ~~the public agency in furnishing and maintaining the services as~~  
38 ~~the school district or county office of education may deem~~  
39 ~~necessary to meet the needs of the community.~~

1     ~~(C) Policies pursuant to subdivision (d) of Section 48915 for~~  
2     ~~pupils who committed an act listed in subdivision (e) of Section~~  
3     ~~48915 and other school-designated serious acts that would lead to~~  
4     ~~suspension, expulsion, or mandatory expulsion recommendations~~  
5     ~~pursuant to Article 1 (commencing with Section 48900) of Chapter~~  
6     ~~6 of Part 27 of Division 4 of Title 2.~~

7     ~~(D) Procedures to notify teachers of dangerous pupils pursuant~~  
8     ~~to Section 49079.~~

9     ~~(E) A discrimination and harassment policy consistent with the~~  
10    ~~prohibition against discrimination contained in Chapter 2~~  
11    ~~(commencing with Section 200) of Part 1.~~

12    ~~(F) The provisions of a schoolwide dress code, pursuant to~~  
13    ~~Section 35183, that prohibits pupils from wearing “gang-related~~  
14    ~~apparel,” if the school has adopted that type of a dress code. For~~  
15    ~~those purposes, the comprehensive school safety plan shall define~~  
16    ~~“gang-related apparel.” The definition shall be limited to apparel~~  
17    ~~that, if worn or displayed on a school campus, reasonably could~~  
18    ~~be determined to threaten the health and safety of the school~~  
19    ~~environment. A schoolwide dress code established pursuant to this~~  
20    ~~section and Section 35183 shall be enforced on the school campus~~  
21    ~~and at any school-sponsored activity by the principal of the school~~  
22    ~~or the person designated by the principal. For purposes of this~~  
23    ~~paragraph, “gang-related apparel” shall not be considered a~~  
24    ~~protected form of speech pursuant to Section 48950.~~

25    ~~(G) Procedures for safe ingress and egress of pupils, parents,~~  
26    ~~and school employees to and from school.~~

27    ~~(H) A safe and orderly environment conducive to learning at~~  
28    ~~the school.~~

29    ~~(I) The rules and procedures on school discipline adopted~~  
30    ~~pursuant to Sections 35291 and 35291.5.~~

31    ~~(b) It is the intent of the Legislature that schools develop~~  
32    ~~comprehensive school safety plans using existing resources,~~  
33    ~~including the materials and services of the partnership, pursuant~~  
34    ~~to this chapter. It is also the intent of the Legislature that schools~~  
35    ~~use the handbook developed and distributed by the School/Law~~  
36    ~~Enforcement Partnership Program entitled “Safe Schools: A~~  
37    ~~Planning Guide for Action” in conjunction with developing their~~  
38    ~~plan for school safety.~~

1     ~~(e) Grants to assist schools in implementing their comprehensive~~  
2 ~~school safety plan shall be made available through the partnership~~  
3 ~~as authorized by Section 32285.~~

4     ~~(d) Each schoolsite council or school safety planning committee~~  
5 ~~in developing and updating a comprehensive school safety plan~~  
6 ~~shall, where practical, consult, cooperate, and coordinate with~~  
7 ~~other schoolsite councils or school safety planning committees.~~

8     ~~(e) The comprehensive school safety plan may be evaluated and~~  
9 ~~amended, as needed, by the school safety planning committee, but~~  
10 ~~shall be evaluated at least once a year, to ensure that the~~  
11 ~~comprehensive school safety plan is properly implemented. An~~  
12 ~~updated file of all safety-related plans and materials shall be readily~~  
13 ~~available for inspection by the public.~~

14     ~~(f) As comprehensive school safety plans are reviewed and~~  
15 ~~updated, the Legislature encourages all plans, to the extent that~~  
16 ~~resources are available, to include both of the following:~~

17     ~~(1) Policies and procedures aimed at the prevention of bullying.~~

18     ~~(2) Clear guidelines for the roles and responsibilities of mental~~  
19 ~~health professionals, community intervention professionals, school~~  
20 ~~counselors, school resource officers, and police officers on school~~  
21 ~~campus, if the school district uses these people. The guidelines~~  
22 ~~may include primary strategies to create and maintain a positive~~  
23 ~~school climate, promote school safety, and increase pupil~~  
24 ~~achievement, and prioritize mental health and intervention services,~~  
25 ~~restorative and transformative justice programs, and positive~~  
26 ~~behavior interventions and support.~~

27     ~~(g) The comprehensive school safety plan, as written and~~  
28 ~~updated by the schoolsite council or school safety planning~~  
29 ~~committee, shall be submitted for approval under subdivision (a)~~  
30 ~~of Section 32288.~~